UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2135	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/927,409	HITZ ET AL.
	Examiner	Art Unit	
	Tom Gyorfi	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 October 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *31-50 and 53-58* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *31-50 and 53-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 31-50 and 53-58 are pending examination. The correspondence filed

10/25/04 amended claims 35, 38, and 57.

Response to Arguments

2.   Applicant's arguments, see Paper No. 12, filed 10/25/04, with respect to the

rejection(s)of claim(s) 31-50 and 53-58 under Teper have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Montague et al.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   Claims 31-37, 40-50 and 53-58 are rejected under 35 U.S.C. 102(e) as being

anticipated by Montague et al. (U.S. Patent 5,761,669).

Regarding claims 31 and 43:

Montague discloses a method of operating a file server, including steps of

identifying a file on said file server with a first security style selected from among a

plurality of security styles corresponding to a plurality of operating systems implemented

on said file server (Fig. 3 and col 13, line 60 – col. 14, line 42); and enforcing said first

security style for all accesses to said file including accesses in another one of said

plurality of security styles (col. 14, lines 42-60).

Regarding claim 34:

Montague discloses all the limitations of claim 31 above. Montague further

discloses wherein said enforcing step enforces said security style for all accesses to the

file regardless of the security style associated with the entity who seeks access to the

file (col. 14, lines 45-60; col. 6, lines 50-60).

Regarding claim 35:

Montague discloses all the limitations of claim 31 above. Montague further

discloses associating said file with a subset of files in a file system and limiting said

subset of files to a security subset of said plurality of security style (Fig. 3, in particular

elements 72 and 74, and the unlabeled drive icons); wherein attempts to set permission

in said subset of files are restricted to said security subset (col. 2, lines 25-30).

Examiner contends that, due at least in part to the established differences in handling

access permissions among varying operating systems, it is inherent to the disclosed

invention that each drive as illustrated in Figure 3 represents one file system wherein all

files contained on a given drive necessarily share the same security style, dependent on

which operating system said drive was originally formatted for.

Regarding claim 40:

Montague discloses a method of operating a file server, including steps of

identifying a file on said file server with a first security style selected from among a

plurality of security styles corresponding to a plurality of operating systems implemented

on said file server (Fig. 3 and col 13, line 60 – col. 14, line 42); and enforcing said first

security style for all accesses to said file including accesses in another one of said

plurality of security styles (col. 14, lines 42-60); and identifying said file with a second

security style with a file server request for setting permissions for said file when said file

server request is successful (col. 14, lines 50-60).

Regarding claim 41:

Montague discloses all the limitations of claim 40 above. Montague further

discloses associating said second security style with a file server request for setting

permissions for said file when said file server request is successful (col. 14, lines 24-27

and also lines 35-40).

Regarding claim 42:

Montague discloses all the limitations of claim 40 above. Montague further discloses wherein said file is associated with said second security style regardless of the security style previously associated with said file (element 210 of Figure 9).

Regarding claim 46:

Montague discloses a file server including a subtree of files in said file system associated with a security subset of said plurality of security styles (Figure 3), wherein said file server restricts attempts to set permission in said subtree to said security subset (col. 7, lines 55-60).

Regarding claim 49:

Montague discloses all the limitations of claim 43 above. Montague further discloses wherein said file server is capable of altering the security style associated with said file in response to a file server request (col. 14, lines 49-53).

Regarding claim 50:

Montague discloses all the limitations of claim 49 above. Montague further discloses wherein said file server is capable of altering the security style associated with said file in response to a file server request when said file server request is successful (col. 14, lines 50-60).

Regarding claim 54:

Montague discloses a data structure associating a security subset of said

plurality of security styles with a subtree of said files available on said file server

(Figures 13-18).

Regarding claims 32, 36, 44, 47, and 55:

Montague discloses the limitations found in claims 31, 35, 43, 46, and 54 above.

Montague further discloses a Windows NT security style (col. 6, lines 1-15).

Regarding claims 33, 37, 45, 48, and 56:

Montague discloses the limitations found in claims 31, 35, 43, 46, and 54 above.

Montague further discloses a Unix security style (col. 6, lines 1-15).

Regarding claims 57 and 58:

Montague discloses all the limitations of claims 31 and 43 above. Montague

further discloses translating access control limits for said file to a second security style

associated with said accesses (col. 7, lines 50-65).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Montague as applied to claim 31 above, and further in view of Schmuck et al. (U.S.

Patent 5,893,086).

Regarding claim 38:

Montague discloses all the limitations of claim 35 above. However, Montague

does not explicitly disclose caching associations and limits for the subsets of files for

future use.

Schmuck discloses caching associations and limits for the subset of files for

future use (col. 28, lines 60-65). It would have been obvious to one of ordinary skill in

the art at the time the invention were made to include the ability to cache the ACLs (or

their equivalent associations and limits) for future use into the invention by Montague.

The motivation to do so would be to speed up access to the permission data by

avoiding additional disk I/O.

Regarding claim 39:

Montague in view of Schmuck discloses or suggests the limitations of claim 38

above.   Montague also discloses mapping permissions in said first security style to a

second security style, and wherein said mapping can be performed dynamically or

statically (col. 7, lines 50-65).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent 5,948,062 issued to Tzelnic et al. discloses a network file server

using a cached disk array storing a network file directory including file locking

information and data mover computers each having file system software for shared

read-write file access.

U.S. Patent 5,548,724 issued to Akizawa et al. discloses a file server system and

file access control method of the same.

IBM Technical Disclosure Bulletin NN9205370 discloses a means to convert file-

oriented system calls from one format to another through the use of virtual file systems.

IBM Technical Disclosure Bulletin NN9511187 discloses a logical file server that

can fully support multiple file systems simultaneously.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAG
2/10/05

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